

Section 6

Creation and Release of Liens

Creation and Release of Liens

Creation of a Lien

Missouri law states that for a lien to be perfected the date it is created, the necessary paperwork must be delivered to the department within 30 days of the date of the loan. However, to protect the creditor from the buyer's/ debtor's possible bankruptcy, the notice of lien should be perfected (received by the department) within 20 days from the date of the loan.

Perfecting a Lien

- A. A lien is a claim on the property of another, i.e., vehicle, vessel, etc., as security for payment of a debt.
- B. To perfect a lien on a motor vehicle, trailer, manufactured home, boat, or outboard motor, see the chart below.
- C. All certificates of title will be mailed to the owner named on the certificate of title unless the owner designates a "Mail-to" on the application for title or provides written authorization for other handling.

Below is a summary of documents and fees required based on the type of transaction:

TRANSACTION TYPE	TYPE OF UNIT	REQUIRED DOCUMENTS	FEES
♦ Filing First/Second Lien, Change of Ownership	Motor Vehicle, Trailer, All-Terrain Vehicle, and Manufactured Home	♦ *Fourth and Fifth copies of form DOR-108; or ♦ *Form DOR-4809 (see page 6-3)	♦ \$2.50 processing/agent fee
	Vessel, Outboard Motor	♦ *Form DOR-4809	\$2.50 processing/agent fee
♦ Filing First/Second Lien, No Change of Ownership	Motor Vehicle, Trailer, All Terrain Vehicle, Manufactured Home	♦ *Completed five-part form DOR-108; or ♦ *Three-part form DOR-108A and form DOR-4809 ♦ *Certificate of title	♦ \$8.50 title fee ♦ \$5.00 processing/agent fee
	Vessel, Outboard Motor	♦ *Completed form DOR-93; ♦ *Form DOR-4809; and ♦ *Certificate of Title	♦ \$7.50 title fee for vessels or \$5.00 outboard motor title fee \$5.00 processing/agent fee

*Effective July 1, 2003, to add a second lien, the first lienholder's authorized agent must sign the lienholder authorization box on the notice of lien form. The owner may submit the above listed items to his or her local license office or mail them to the Driver and Vehicle Services Bureau, 301 West High Street, Post Office Box 100, Jefferson City, MO 65105.

Releasing a Lien

On a motor vehicle, trailer, manufactured home, vessel, or outboard motor, Sections 301.640, 306.420, and 700.370, RSMo require the lienholder to release the lien on a separate document within 10 business days after the lien is satisfied. The release document shall be notarized. Each perfected second lienholder, if any, shall release such lien in the same manner.

A. Lien releases made on or after July 1, 2003, may no longer be released on the **face** of a Missouri title, but must be released as follows:

1. If the **lienholder is an individual**, a notice of release (lien release section of DOR-4809) must be completed, signed, and **notarized**. An estate executor may release the lien by submitting the above with an **original or certified copy** of the probate court order.
2. If the **lienholder is a business entity**, a completed, signed, and notarized notice of release (lien release section of DOR-4809) **or a notarized** lien release on the lienholder's letterhead listing the year, make, vehicle identification number, lien release date, lienholder name and signature, and vehicle owner's information must be submitted; **or**


NOTE: A faxed copy may be accepted as long as the notary information is legible.

3. If the above cannot be obtained, the **original** security agreement stamped "paid" with the official seal of the lienholder will be accepted. The seal must contain the lienholder's business name (a stamp that only shows "paid" is not acceptable).
- B. Liens released prior to July 1, 2003, may be released on the face of the title or as listed in A above and do not have to be notarized.
- C. If the owner is unable to obtain a lien release, a court order instructing the director of revenue to release the lien must be submitted.
- D. Some states still require the lien to be released on the face of the title. For these states, Missouri will accept this method of lien release. The out-of-state title must be notarized only if that state currently requires the release to be notarized.

- E. To release a lien recorded on a certificate of title when the accounts/assets of the lienholder have been taken over by the FDIC due to insolvency and/or liquidation, a document from the FDIC must be submitted.

NOTE: The document from the FDIC must grant power of attorney to the receiver of the account and list the names of the insolvent lienholder and the lienholder that took over the account. If the power of attorney references an "asset pool" only, rather than the name of the insolvent lienholder, a separate document listing the insolvent lienholder is required.

NOTICE OF LIEN OR LIEN RELEASE FORM (DOR-4809)

 MISSOURI DEPARTMENT OF REVENUE DRIVER AND VEHICLE SERVICES BUREAU PO BOX 3355, JEFFERSON CITY MO 65105-3355 573-751-4500 www.dor.mo.gov/mvdl		FORM 4809 (REV. 11-03)	FOR DOR USE ONLY PROJECT NUMBER
NOTICE OF LIEN OR LIEN RELEASE		TYPE ALL APPLICATIONS. IF NOT TYPED, ATTACH COPY OF TITLE.	
FOR DOR USE ONLY			
1			
■ NOTICE OF LIEN (NO NOTARY REQUIRED IF COMPLETING THIS SECTION.)			
OWNER INFORMATION	OWNER'S NAME (LAST, FIRST, MIDDLE) AS SHOWN ON TITLE APPLICATION (ONLY FIRST 38 CHARACTERS WILL PRINT ON TITLE)		
	STREET ADDRESS		COUNTY
	CITY, STATE, AND ZIP CODE		DLN, SSN, OR FEIN
UNIT DESCRIPTION	<input type="checkbox"/> MOTOR VEHICLE/TV <input type="checkbox"/> TRAILER/MANV HOME <input type="checkbox"/> VESSEL/OUTBOARD MOTOR		
	YEAR	MAKE	ID NUMBER
	PURCHASE DATE	PREVIOUS TITLE NUMBER	NET PRICE (AFTER TRADE-IN)
	LIENHOLDER'S NAME AS SHOWN ON TITLE APPLICATION STREET ADDRESS CITY, STATE, AND ZIP CODE		
FIRST LIENHOLDER INFORMATION	SECURITY AGREEMENT DATE		<input type="checkbox"/> YES <input type="checkbox"/> NO
	SUBJECT TO FUTURE ADVANCES?		LOAN OR UNIT NUMBER
	FIRST LIENHOLDER AUTHORIZES A SECOND LIEN BY SIGNING BELOW		
	LIENHOLDER'S NAME AS SHOWN ON TITLE APPLICATION STREET ADDRESS CITY, STATE, AND ZIP CODE		
SECOND LIENHOLDER INFORMATION	SECURITY AGREEMENT DATE		LOAN OR UNIT NUMBER
	LIENHOLDER'S NAME AS SHOWN ON TITLE APPLICATION STREET ADDRESS CITY, STATE, AND ZIP CODE		
	LIENHOLDER'S NAME AS SHOWN ON TITLE APPLICATION STREET ADDRESS CITY, STATE, AND ZIP CODE		
	SECURITY AGREEMENT DATE LOAN OR UNIT NUMBER		
28 ■ LIEN RELEASE NOTARY REQUIRED IF COMPLETING THIS SECTION			
ANY PERSON WHO KNOWINGLY AND INTENTIONALLY SUBMITS A SEPARATE DOCUMENT RELEASING A LIEN OF ANOTHER WITHOUT THE AUTHORITY TO DO SO SHALL BE GUILTY OF A CLASS C FELONY. (201.040 RSMo)			
LIEN RELEASE/NOTARY INFORMATION	LIENHOLDER'S NAME AS SHOWN ON TITLE		LIEN CREATION DATE
	RELEASE DATE	PRINTED NAME OF LIENHOLDER'S AGENT	SIGNATURE OF LIENHOLDER'S AGENT
	NOTARY PUBLIC EMBOSSE OR BLACK RUBBER STAMP SEAL	STATE	COUNTY (OR CITY OF ST. LOUIS)
	SUBSCRIBED AND SWORN BEFORE ME, THIS		
	DAY OF		
	NOTARY PUBLIC SIGNATURE		
MY COMMISSION EXPIRES NOTARY PUBLIC NAME (TYPED OR PRINTED)			
EFFECTIVE JULY 1, 2003 - A \$2.50 processing fee must be submitted with each Notice of Lien.			
CONTROL NUMBER 6913208			

An explanation for each required field is contained on the following pages.

**INSTRUCTIONS FOR COMPLETING A NOTICE OF LIEN OR LIEN
RELEASE FORM (DOR-4809)**

1. **For DOR Use Only** – Office staff should validate this area for the appropriate processing/agent fee.

The following must be completed in order to file a lien:

2. **Owner's Name** – Enter the owner's name exactly as shown on the title application in last, first, and middle sequence.
3. **Street Address** – Enter the owner's street address.
4. **County** – Enter the county in which the owner lives.
5. **City, State, and ZIP Code** – Enter the owner's city, state and zip code.
6. **DLN, SSN, OR FEIN Number** – Enter the Driver License Number, Social Security Number, or Federal Employee Identification Number (FEIN) of the owner.
7. **Type of Unit** – Check the appropriate block to indicate motor vehicle, ATV, trailer, manufactured home, vessel, or outboard motor.
8. **Year** – Enter the year of the unit, e.g., 04, 05, etc.
9. **Make** – Enter the make of the unit, i.e., Ford.
10. **Identification Number** – Enter the identification number of the motor vehicle, ATV, manufactured home, trailer, vessel, or outboard motor.
11. **Purchase Date** – Enter the purchase date of the unit.
12. **Previous Title Number** – Enter the previous title number, if available.
13. **Net Price** – Enter the net price of the unit after any trade-in credit or rebate has been deducted.
14. **Lienholder's Name** – Enter the name of the first lienholder. "As agent" may be recorded following the lienholders name. Please note that only the first 20 characters (including spaces) of the name will appear on the certificate of title.
15. **FDIC or ID Number** – Enter the Federal Deposit Insurance Corporation (FDIC) number or other lienholder identification number of the second lienholder, i.e., dealer number, etc.

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16. **Lienholder's Street Address** – Enter the street address of the first lienholder.
 17. **Lienholder's City, State and ZIP Code** – Enter the city, state and ZIP code of the first lienholder.
 18. **Security Agreement Date** – Enter the date of the security agreement for the first lienholder.
 19. **Subject to Future Advances (First Lienholder)** – Mark this block if the unit is subject to future advances.
 20. **Loan or Unit Number** – This box is used to record the loan or unit number provided by the first lienholder.
 21. **First Lienholder Authorization** – To add a second lien, the first lienholder's authorized agent must sign.
 22. **Lienholder's Name** – Enter the name of the second lienholder.
 23. **FDIC or ID Number** – Enter the Federal Deposit Insurance Corporation (FDIC) or identification number of the second lienholder.
 24. **Lienholder's Street Address** – Enter the street address of the second lienholder.
 25. **Lienholder's City, State and ZIP Code** – Enter the city, state and zip code of the second lienholder.
 26. **Security Agreement Date** – Enter the date of the security agreement for the second lienholder.
 27. **Loan or Unit Number** – This box is used to record the loan or unit number provided by the second lienholder.

In addition to 2 – 13, the following must be completed to release a lien:

28. **Lien Release** – Check this box to release a lien.
29. **Lienholder's Name as Shown on Title** – Print the name of the lienholder that is releasing the lien as it appears on the face of the title.
30. **Release Date** – Record the date the lien is released.

31. **Printed Name of Lienholder's Agent** – Print the name of the lienholder's agent that is releasing the lien.
32. **Signature of Lienholder's Agent** – To release the lien, the authorized agent of the lienholder must sign here and have their signature notarized.
33. **Notary Public Information** – This section must be completed by a notary public to release a lien.

NOTICE OF LIEN FORM (DOR-108)

The numbered areas are the only fields required to be completed to file a lien.

ANY FALSE STATEMENT IN THIS APPLICATION IS A VIOLATION OF THE LAW AND MAY BE PUNISHED BY FINE, OR IMPRISONMENT OR BOTH. (SEE ALSO ITEMS)

TRANSPORT TYPE <input type="checkbox"/> IN TRANSIT <input type="checkbox"/> TRANSFER PLATES <input type="checkbox"/> IN WHOLE <input type="checkbox"/> TITLE ONLY		REPRODUCTION DOR USE ONLY - REJECT NUMBER LICENSE PLATE NO BRAND CODE	PROSTATE NO STAPLE HERE
OFFICE VALIDATION			

1

MISSOURI DEPARTMENT OF REVENUE
NOTICE OF LIEN

ORIGINAL <input type="checkbox"/>	DUPLICATE <input type="checkbox"/>	NON-NEGOT <input type="checkbox"/>	PRIOR SALVAGE <input type="checkbox"/>	CORRECTED <input type="checkbox"/>	MECHANIC LIEN <input type="checkbox"/>	SALVAGE <input type="checkbox"/>	OUR SALVAGE <input type="checkbox"/>	JUNK <input type="checkbox"/>	DUP. JUNK <input type="checkbox"/>	TRANSFER ON <input type="checkbox"/>	RENTALS <input type="checkbox"/>
OWNER'S NAME - LAST, FIRST, MIDDLE (ONLY FIRST 38 POSITIONS WILL PRINT ON TITLE) INCLUDING TOO											
STREET ADDRESS, R.R. OR P.O. BOX NUMBER											
CITY STATE ZIP CODE											
COUNTY											
FLEET NUMBER											
L/R NUMBER											
IN CITY LIMITS											
OUTSIDE CITY LIMITS											
DLN, SSN, OR FIDN NUMBER											
PRICE											
PURCHASE DATE											
K.O.V.											
PREVIOUS TITLE NUMBER											
NET PRICE											
FIRST LIEN											
SECURITY AGREEMENT DATE											
LIENHOLDER'S PHONE NO.											
SECOND LIEN											
MAIL TO ALTERNATE ADDRESS BELOW DO NOT USE IF SECOND LIEN OR SUBJECT TO FUTURE ADVANCES											
STREET ADDRESS, R.R. OR P.O. BOX NUMBER											
CITY STATE ZIP CODE											
STREET ADDRESS, R.R. OR P.O. BOX NUMBER											
CITY STATE ZIP CODE											
EFFECTIVE JULY 1, 2003 - A \$2.50 processing fee must be submitted with each Notice of Lien.											
FIRST LIENHOLDER AUTHORIZES SECOND LIEN BY SIGNING HERE											
INSTRUCTIONS FOR PAGE 4 OF THIS APPLICATION: TYPE ALL APPLICATIONS. IF NOT TYPED, ATTACH COPY OF TITLE. Dealers - Give the white, yellow, and pink copies of this form and the title to the purchaser. • If you have written authorization from the lienholder to file their lien, send the fourth and fifth copies of this form and a check or money order for the \$2.50 state processing fee to the MISSOURI DEPARTMENT OF REVENUE (DOR), PO BOX 3355, JEFFERSON CITY, MISSOURI, 65105-3355. • If you do NOT have written authorization from the lienholder to file their lien, send the fourth and fifth copies of this form to the lienholder. They can send the forms to DOR or use them as a source document to complete the NOTICE OF LIEN, form DOR-4808. • If no lien, destroy the fourth and fifth copies of this form. Lienholders - See instructions above. If no change of ownership, send all copies of this application, the title, title fee, and \$5.00 processing fee to the Missouri Department of Revenue to perfect your lien. The \$5.00 processing fee includes \$2.50 for the title and \$2.50 for the Notice of Lien. Important: To protect the creditor from the buyer/debtor's possible FILING FOR BANKRUPTCY protection or relief, this NOTICE OF LIEN should be perfected (received by the Missouri Department of Revenue) within 20 DAYS from the date of the loan. BRANCH OFFICE VALIDATION ONLY H 0576501 APPROVE REJECT PROCESSED BY											

MO 980-0352 (9-03) NOTICE OF LIEN - SEE INSTRUCTIONS ABOVE FOR DISTRIBUTION LIENHOLDER RECEIPT DOR-108 (9-02)

An explanation for each required field is contained on the following pages.

INSTRUCTIONS FOR COMPLETING A *NOTICE OF LIEN FORM* (DOR-108)

1. **Office Validation** – (Fee Office Validation) This space must legibly show the office number and the date the transaction was validated.
2. **Owner's Name & Address** – Enter the name, street address, city, state, and ZIP of the owner.
3. **County** – Enter the county name in which the applicant's address is located.
4. **DLN, SSN, or FEIN Number** – The applicant's identification number should be entered as outlined below:
 - a) Individual Name - Enter the Driver License Number or Social Security Number.
 - b) Business Name - Enter the Federal Employee Identification Number (FEIN).
5. **Price** – Enter the gross sale price of the motor vehicle, trailer, all-terrain vehicle, or manufactured home.
6. **Year** – Enter the last two digits of the vehicle's model year.
Example: 04
7. **Make** – Enter the make of the vehicle, i.e., Ford
8. **Vehicle Identification Number** – Enter the vehicle identification number correctly and completely as listed on the surrendered Manufacturer's Statement of Origin or the assigned certificate of ownership.
9. **Purchase Date** – Enter the purchase date of the unit.
10. **Previous Title Number** – Enter the previous title number of the vehicle being titled, if available.
11. **Kind of Vehicle (KOV)** – Record the correct code as listed on the title application.
12. **Net Price** – Enter the net price of the unit after any trade-in credit or rebate has been deducted.
13. **First Lien** – Mark the appropriate box to record a first lienholder.

Name Change - No Change of Ownership

14. **Security Agreement Date** – Record the first lien date.
15. **Lienholder's Phone Number** – Record the lienholder's phone number.
16. **First Lien** – Record the first lienholder's name and complete address.
17. **Second Lien** – Mark the appropriate box to record a second lienholder.
18. **Second Lien** – Record the second lienholder's name and complete address.
19. **Subject To Future Advances (STFA)** – Mark this box if the unit is subject to future advances.
20. **Security Agreement Date** – Record the second lien date.
21. **First Lienholder Authorization** – To add a second lien, the first lienholder's authorized agent must sign.
22. **BRANCH OFFICE VALIDATION** – This space is used by state offices to validate the transaction for the \$2.50 processing fee.

On occasion, the owner listed on the face of a certificate of title may change his or her name because of marriage, divorce, adoption, personal reasons, etc. To reflect this change on the certificate of title, the owner must submit a completed *Application for Missouri Title and License* (DOR-108), the outstanding certificate of title in his or her name, and one of the documents listed below. **Because there is no change of ownership, the certificate of title is not required to be assigned.**

1. A copy of the marriage certificate or newspaper clipping when a name change occurs because of marriage;
2. A copy of the divorce decree that specifically states the individual's name was restored to its previous state when a divorce occurs and the former wife changes her name to her previous (maiden) name;

Adding or Deleting Names

3. Authorized adoption papers issued through the Circuit Court, Juvenile Division, indicating a change of name when an individual is adopted and a name change occurs; or
4. A certified document from the Circuit Court Division when an individual elects to have his or her name changed because of personal reasons. The order from the court must state the name the individual formerly used and the full name currently being used by the individual.

To add or delete a name on a certificate of title, the following must be submitted:

1. All copies of the completed *Application for Missouri Title and License* (DOR-108), or *Application for Missouri Watercraft or Outboard Motor Title and Registration* (DOR-93) with the title type marked as "ORIGINAL;"

2. The properly assigned certificate of title;

NOTE: The lien is not required to be released in this case, but must be shown on the application for title.

3. The appropriate title and processing/agent fee;

NOTE: If expeditious handling is required, an additional \$5 fee must be included.

4. A gift statement must be submitted if a name, other than a spouse or someone with a different last name, is being added. If the gift statement is not submitted, the application will be rejected for taxes on one-half of the fair market value of the unit.

NOTE: In most cases, the license plates currently being used on the vehicle may remain on the vehicle. Please contact your local Department of Revenue license office for complete instructions.

Adding or Deleting Names After Title Assigned but Prior to Issuance of a New Title

On occasion, the purchaser of a newly acquired motor vehicle or trailer will request the department to add or delete another individual's name to or from the ownership document at the time an application for title is submitted to a license office. This request occurs after the selling dealer has already assigned the ownership document and the lienholder has completed financial arrangements, if applicable.

The addition or deletion of another individual's name on an application for title when the assignment has already been completed may alter the contract rights between the owner, selling dealer and lienholder. The department will allow the addition or deletion of another individual's name on an application for title **if appropriate statements acknowledging and/or requesting the addition or deletion are submitted as outlined below.** This also applies when a spouse's name is added or deleted.

1. When the seller is a motor vehicle dealer, statements must be submitted by the individual or individuals to whom the vehicle was originally assigned and the selling dealer.
2. When a lien is involved, the lienholder must submit a statement acknowledging the addition or deletion regardless of whether the seller is a dealer or individual.
3. When the seller is an individual and a name is being deleted, a statement must be submitted only by the individual whose name is being deleted.

Upon presentation of the required statements and other applicable documents and fees, an individual's name may be added or deleted on an application for title.

Lienholder No Longer in Business

A copy of a certificate of title with the lien released is not acceptable proof for releasing a lien at the time application is made for a duplicate title unless the lienholder shown is no longer in business. A statement from the Secretary of State's Office, the Federal Deposit Insurance Corporation (FDIC), or Federal Savings and Loan Association stating the lienholder is no longer in business must be submitted with the copy of the certificate of title showing the lien released.

General Information

On occasion, a lienholder will release the lien on a vehicle before the original certificate of title reflecting the lien issues in the owner's

When a Lien Release is Not Required

name. This usually happens when the applicant fails to pay his or her taxes in a timely manner. In this situation, the lien may be released after the taxes are paid by submitting one of the lien release documents referenced on page 6-2, under "Releasing a Lien." If the vehicle was purchased for less than \$6,000 and six years has elapsed since the creation of the lien, a lien release may not be required as outlined below.

Section 301.640.3, RSMo provides that if the purchase price of a motor vehicle or trailer did not exceed \$6,000 at the time of purchase, a lien shown on the certificate of title shall be considered satisfied within six years from the date the lien was originally perfected. In this case, the lien does not have to be released by the lienholder. These provisions do not apply in the following situations:

1. If the lienholder was a bank, credit union, savings and loan, or other depository institution, or a motor vehicle financing company whose net worth exceeds \$100,000,000, i.e., GMAC, Ford Motor Credit, etc.

NOTE: The liens that do qualify under this provision are those made by dealers, individuals, and other entities not excluded above.

2. If the certificate of title has "Subject to Future Advances" recorded in the second lienholder area of the title; or
3. If the lien has been reperfected since the original date of perfection or a new lien has been perfected on the title.

EXAMPLE: Mike Smith purchased a motor vehicle on June 27, 1995, from a dealer for \$5,500. The dealer financed the vehicle. When the title issued on July 20, 1995, it was mailed to the dealer showing the lien. On August 28, 2003, Mr. Smith applies for a duplicate title to the vehicle. Because the purchase price of the vehicle was less than \$6,000 and at least six years has passed since the lien was perfected, Mr. Smith may obtain a clear title without submitting a lien release from the dealer.

Titles Issued Without Lienholder Information

If a notice of lien is received from the lienholder within 30 days of the creation of lien date and the department has issued a title that does not reflect the lien, the department will:

1. Recall the incorrect title; and
2. Issue a new title with the correct lien information shown.

Liens May Secure Future Advances

It is important that the lienholder promptly files the notice of lien to keep occurrences of titles being issued without the correct lien information shown to a minimum.

Sections 301.600.3, 306.400.4, and 700.350.3, RSMo provide that liens on motor vehicles, trailers, manufactured homes and marinecraft (boats and motors) may secure future advances if certain procedures are followed. For example, a lienholder may file a notice of lien on a vehicle with the department and later allow the vehicle owner to refinance his or her vehicle, borrow additional money or extend his or her line of credit under the original security agreement. The lienholder does not have to “update” or reperfect the lien by filing another notice of lien with the department on the same vehicle. The lien already shown on the certificate of ownership will secure any future loan made against the vehicle as long as the loan is an extension or addendum to the original loan agreement.

For a lien on a motor vehicle, trailer, marinecraft, or manufactured home to secure future advances, the following requirements apply:

1. The security agreement evidencing indebtedness must clearly state the fact that a lien may secure future advances. The department is not required to witness the agreement.
2. The lienholder must check the “STFA” block on the notice of lien form. The applicant must check the second lien block and the “STFA” block on the title application.

NOTE: When the corresponding certificate of title issues, “Subject to Future Advances” will appear in the second lienholder area on the face of the certificate of title.

3. “Subject to Future Advances” may not be recorded on any application for title or lien perfection or the subsequent certificate of title issued if a second lienholder is shown.
4. If the original lien has already been released on the certificate of title, the lienholder would have to file another notice of lien on the vehicle, as the provisions to secure future advances would be terminated.

General Information

Lienholders may note the fact that a lien secures future advances on any application for an original title or notice of lien on a motor vehicle, trailer, manufactured home, boat, or motor. This includes applications for title involving a change of ownership, updating/adding a lien, or changing a name.

Repossession Title

Missouri law provides for the director of revenue to issue a "Repossession Title" to lienholders who have lawfully repossessed a vehicle, manufactured home, all-terrain vehicle, vessel (watercraft), or outboard motor in accordance with a proper contract for security. The contract for security must authorize the repossession without legal process or by court order. Qualified applicants may obtain a Repossessed Title by submitting the following documents:

1. A completed *Application/Affidavit for Missouri Repossession Title* (DOR-5005) (for motor vehicles, trailers, all-terrain vehicles, and manufactured homes) OR a completed *Application for Missouri Watercraft or Outboard Motor Registration and Title* (DOR-93) (for vessels or outboard motors) with the title type marked "REPOSSESSED," and *Affidavit for Repossession* (DOR-1062) showing **the name of the lienholder in the owner's name block**;
2. The original or legible copy of the front and back of the security agreement, other contract for security, or a court order;
3. The original or assigned certificate of title, Manufacturer's Statement of Origin, copy of the front and back of the title or the validated pink copy of the notice of lien, or validated lienholder (blue) receipt. If one of these documents is not available, a statement from the lienholder on business letterhead including the year, make, and vehicle identification number explaining why one of these documents are not available, must be submitted. If the statement is not on the business letterhead, the statement must be notarized. If an original certificate of title in the owner's name is submitted, **DO NOT** release the lien recorded on the face of the title. If a copy of the title or Manufacturer's Statement or Origin is submitted in place of the original, a signed statement must accompany the transaction stating the reason the original cannot be submitted (lost, never received, etc); and
4. Appropriate processing fee and title fee of \$10 or \$15 for an expeditious title.

If the application and supporting documents are correct, all interested parties (owners, co-owners, co-signers, and additional lienholders) will be notified at the last known address and given 10 days to respond to the department. If no response is received by the department within the 10-day period, the title will be issued.

NOTE: All requests for **expeditious** repossession titles will be held for the 10-day notification period. If there is no outstanding certificate of title on the manufactured home, vessel (watercraft), or outboard motor in the name of the debtor, all applicable fees, penalties and taxes must be paid before a repossession title can be issued.

Voluntary Repossession

If the unit was surrendered as a voluntary repossession, a statement must accompany the application stating that the motor vehicle, trailer, manufactured home, all-terrain vehicle, vessel (watercraft), or outboard motor was given back voluntarily and the 10-day notification period provided by law is waived. This statement must be signed by **all** owners, co-owners, and co-signers at the time of repossession. When this statement is submitted with the completed application and appropriate documents and fees, the application will be processed without being held for the 10-day holding period.

NOTE: If there is a second lienholder, a non-interest statement from the second lienholder must be submitted in addition to the statement described above.

Stopping a Repossession Title

The applicant may withdraw the application for repossessed title by contacting the Driver and Vehicle Services Bureau (DVSB) at (573) 751-4509 followed by a written request (faxed or mailed) that must be submitted to the DVSB within 72 hours. The call must occur before the application is placed into process. The notification must state the debtor's name and the year, make, and identification number of the unit. The debtor may also stop the repossession with a telephone call and then submit a restraining order or court order to the DVSB within 10 days of the telephone call.

Procedures for Obtaining Mileage

The odometer reading should be provided on applications for repossessed title on a motor vehicle, if the vehicle is subject to odometer disclosure. Because there is technically no "seller" in this case, the disclosure does not have to appear in the title assignment area, nor does a separate Odometer Disclosure Statement have to be completed.

NOTE: When applying for a repossessed title, the lienholder/applicant or his or her agent should physically witness the odometer reading on the vehicle. The applicant should not estimate the mileage.